

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2014

Robert P. Young, Jr.,
Chief Justice

147093

Michael F. Cavanagh
Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 147093
COA: 314431
St. Joseph CC: 11-017611-FH

MASON ALAN FULLER,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 14, 2013 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of the issue whether the police officers unlawfully expanded a “knock and talk” procedure by entering the defendant’s backyard and walking onto a wooden deck, which was attached to the home, and, if a constitutional violation occurred, whether the good-faith exception to the exclusionary rule applies under these facts. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.



p0122

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2014


Clerk